REMARKS

The examiner is thanked for the performance of a thorough search.

By this amendment, Claims 16, 20, 22-24, 28, and 34 are amended and no claims are added or cancelled. Hence, Claims 15-38 are pending in the application.

Each issue raised in the Office Action mailed April 20, 2007 is addressed hereinafter.

I. REJECTION BASED ON THE CITED ART

Claims 15-38 stand rejected under 35 U.S.C. § 103(a) as allegedly being anticipated by U.S. Patent No. 6,760,761 issued to Sciacca ("*Sciacca*"). This rejection is respectfully traversed.

A. CLAIM 15

Claim 15 recites:

> A method for automatically deploying a **quality of service ("QoS") policy** to a plurality of network devices in a packet telephony network based on a QoS policy template comprising the computer-implemented steps of:
> **receiving device information that defines authentication** and location **information of each of said plurality of network devices**;
> **receiving interface information defining one or more interfaces associated with each of said plurality of network devices**;
> creating and storing one or more **QoS policy templates** in a database, wherein each of the one or more QoS policy templates indicates **one or more QoS policies that associate QoS tools with network device traffic flows**; and
> **based on the device information and interface information, determining one or more QoS policies for deployment** to each of said plurality of network devices. (emphasis added)

Sciacca fails to teach or suggest at least the above-bolded features of Claim 15. Although *Sciacca* refers to policies, *Sciacca* makes no mention of the term "quality of service." As detailed below, *Sciacca* fails to anticipate the claims in part because *Sciacca* is unrelated to QoS techniques.

1. Sciacca *fails to teach or suggest "receiving device information that defines authentication...information of each of said plurality of network devices"*

The Office Action cites col. 4, lines 52-56 of *Sciacca* for disclosing "receiving device information that defines authentication...information of each of said plurality of network devices" as recited in Claim 15. This is incorrect. That portion of *Sciacca* states: "The input interface 410 interacts with external entities, such as customers, configuration novices and experts, and applications. The input interface 410 may authenticate the entities prior to permitting them access to the configuration database 420" (emphasis added). Therefore, *Sciacca* teaches that it is the entities that are attempting access to a configuration database that are being authenticated, whereas Claim 15 recites that authentication information of network devices is received. There is no description or suggestion in *Sciacca* that the 'entities' of *Sciacca* include network devices. For this reason, *Sciacca* fails to teach or suggest receiving authentication information of each network device of a plurality of network devices.

Additionally, because *Sciacca* fails to teach or suggest the recited authentication information, which is a part of device information, it follows that *Sciacca* must also fail to teach or suggest "determining one or more QoS policies for deployment" based on the device information as recited in Claim 15.

2. Sciacca *fails to teach or suggest "receiving interface information defining one or more interfaces associated with each of said plurality of network devices"*

The Office Action fails to cite any portion of Sciacca for disclosing "receiving interface information defining one or more interfaces associated with each of said plurality of network devices" as recited in Claim 15. In rejecting Claim 16, which recites "wherein said step of receiving interface information comprises executing an SNMP, telnet, or virtual device query of said device," the Office Action cites col. 6, lines 28-33 of *Sciacca*. That portion of *Sciacca*

merely states: "For example, the policies database 320 may permit infrastructure engineers and developers (hereinafter referred to generally as "engineers") to use statements from a device-specific language (e.g., Simple Network Management Protocol (SNMP)) to specify the configuration policies." (emphasis added). Here, *Sciacca* teaches that a policies database allows users to use SNMP statements to specify configuration policies. However, this cited portion of *Sciacca* fails to suggest anything related to interface information associated with a network device, much less receiving such interface information. Receiving interface information is not inherent in this portion of *Sciacca* and cannot be inferred from the description of *Sciacca*. Therefore, *Sciacca* fails to teach or suggest receiving interface information that defines one or more interfaces associated with each network device.

Additionally, because *Sciacca* fails to teach or suggest the recited interface information, it follows that *Sciacca* must also fail to teach or suggest "determining one or more QoS policies for deployment" based on the interface information as recited in Claim 15.

3. Sciacca *fails to teach or suggest "one or more QoS policies that associate QoS tools with network device traffic flows"*

The Office Action cites col. 6, line 62 to col. 7, line 27 of *Sciacca* for disclosing "wherein each of the one or more QoS policy templates indicates one or more QoS policies that associate QoS tools with network device traffic flows" as recited in Claim 15. This is incorrect. On page 3, the Office Action appears to equate the "queue" of *Sciacca* with the "QoS tools" of Claim 15. However, the "queue" in *Sciacca* refers to a policy (such as the fair-queue policy and the no-fair-queue policy; see col. 7, lines 10-12 and 20-24) and not QoS tools. Thus, in order to read on this feature of Claim 15, a queue policy of *Sciacca* must associate QoS tools with network device traffic flows. However, *Sciacca* provides no further description of such queue policies. Furthermore, the cited portion of *Sciacca* fails to suggest anything related to traffic flows.

Therefore, *Sciacca* fails to teach or suggest that "QoS policies associate QoS tools with network device traffic flows" as recited in Claim 15.

Based on the foregoing, *Sciacca* fails to teach or suggest all the features of Claim 15. Therefore, Claim 15 is patentable over *Sciacca*. Removal of the 35 U.S.C. § 102(b) rejection with respect to Claim 15 is therefore respectfully requested.

B. CLAIMS 21, 27, AND 33

Each of independent Claims 21, 27, and 33 is either a computer-readable storage medium claim or an apparatus claim. Each of Claims 21, 27, and 33 recite features discussed above that distinguish Claim 15 from *Sciacca*. Therefore, each of Claims 21, 27, and 33 is allowable for the reasons given above with respect to Claim 15.

C. DEPENDENT CLAIMS

The dependent claims not discussed thus far are dependent claims, each of which depends (directly or indirectly) on one of the independent claims discussed above. Each of the dependent claims is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of the dependent claims introduces one or more additional limitations that independently render it patentable.

1. Claim 16

For example, Claim 16 depends on Claim 15 and further recites "wherein said step of receiving interface information comprises executing an SNMP, telnet, or virtual device query of said device." The Office Action cites col. 6, lines 28-33 of *Sciacca* for disclosing this feature of Claim 16. This is incorrect. That portion of *Sciacca* merely states: "For example, the policies database 320 may permit infrastructure engineers and developers (hereinafter referred to generally as "engineers") to use statements from a device-specific language (e.g., Simple Network Management Protocol (SNMP)) to specify the configuration policies." Although this

cited portion refers to using SNMP for users to specify configuration policies, the cited portion fails to teach or suggest executing any type query of a network device.

2. Claim 20

As another example, Claim 20 depends on Claim 15 and further recites the computer-implemented steps of:

> generating a list of command line interface ("CLI") commands that correspond to properties for each network device; and
> sending said list of CLI commands to each network device to be implemented.

The Office Action cites col. 6, lines 50-55 and col. 7, lines 6-14 of *Sciacca* for disclosing these features of Claim 20. This is incorrect for several reasons. First, *Sciacca* fails to suggest anything related to command line interface (CLI) commands. Second, the cited portions of *Sciacca* only illustrate example device configuration policies for configuring interface addresses, which policies are specified by a user, such as an engineer (see col. 6, lines 43-47 and 62-63), whereas, according to Claim 20, the CLI commands are generated automatically.

Due to the fundamental differences already identified, to expedite the positive resolution of this case, a separate discussion of the other dependent claims is not included at this time. The Applicant reserves the right to further point out the differences between the cited art and the novel features recited in each of the dependent claims.

II. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, all of the pending claims are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone relating to any issue that would advance examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firm check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this

application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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